

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNIMED PHARMACEUTICALS, LLC,)
BESINS HEALTHCARE INC., and BESINS)
HEALTHCARE LUXEMBOURG SARL,)

Plaintiffs,)

v.)

PERRIGO COMPANY, and PERRIGO)
ISRAEL PHARMACEUTICALS LTD.,)

Defendants.)

C.A. No. 13-236 (RGA)
(Consolidated)

UNIMED PHARMACEUTICALS, LLC,)
BESINS HEALTHCARE INC., and BESINS)
HEALTHCARE LUXEMBOURG SARL,)

Plaintiffs,)

v.)

WATSON LABORATORIES, INC.,)

Defendant.)

Member Cases:
13-236, 13-496, 14-985, 14-1003, 14-1004

AMENDED SCHEDULING ORDER AND CONSOLIDATION OF RELATED CASES

This ¹²~~10~~ day of August, 2014, the Scheduling Order entered September 13, 2013 (D.I. 15) is hereby amended as follows. Any procedures, discovery limitations, or dates from that order not changed herein shall remain in effect.

1. Consolidation. In light of the overlapping issues involved and for the convenience of the Court, case numbers C.A. 13-236 (RGA) (previously consolidated with 13-496 (RGA)), 14-985 (RGA), 14-1003 (RGA), and 14-1004 (RGA) are consolidated for all purposes. All filings will be captioned as above and made under C.A. 13-236.

2. Protective Order. The Stipulated Protective Order previously entered in C.A. 13-236 (RGA) (consolidated) (D.I. 57) shall continue to apply in the newly consolidated C.A. 13-236 (RGA).

3. Stipulated ESI Order. The Stipulated ESI Order previously entered in C.A. 13-236 (RGA) (consolidated) (D.I. 32) shall continue to apply in the newly consolidated C.A. 13-236 (RGA).

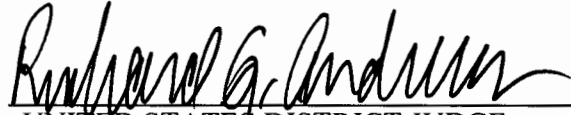
4. The following dates shall apply to the events more fully described in the original Scheduling Order entered on September 13, 2013 (D.I. 15).

Event	Location in D.I. 15	Amended Deadline
Exchange list of terms for newly asserted patents from complaints in 14-1003 (RGA) and 14-1004 (RGA) (U.S. Patent No. 8,729,057; U.S. Patent No. 8,741,881; U.S. Patent No. 8,754,070; and U.S. Patent No. 8,759,329 (referred to herein collectively as "New Patents")) Exchange a list of terms for patents identified in 14-985 (RGA) (U.S. Patent No. 8,466,136; U.S. Patent No. 8,466,137; U.S. Patent No. 8,466,138; U.S. Patent No. 8,486,925; and U.S. Patent No. 6,503,894), if and only if one or more different claims of these patents are asserted by Plaintiffs against the Perrigo packets product than were previously asserted against Perrigo's pump product.	¶ 9	Monday, 8/25/14
Perrigo to produce ANDA No. 205781	¶ 3	Monday, 8/18/14
Plaintiffs to produce file histories for New Patents per Default ESI Rule 4(a)	¶ 3	Wednesday, 8/20/14
Plaintiffs to identify accused products/asserted claims for New Patents and for Perrigo's ANDA No. 205781 for already-asserted patents per Default ESI Rule 4(a)	¶ 3	Wednesday, 8/20/14
Perrigo to produce core technical documents relating to product described in ANDA No. 205781 per Default ESI Rule 4(b)	FN 3	Friday, 8/22/14

Event	Location in D.I. 15	Amended Deadline
Exchange proposed claim construction for terms for New Patents	¶ 9	Wednesday, 9/3/14
Any amendments to disclosures under Federal Rule of Civil Procedure 26(a)(1)	¶ 3	Thursday, 8/28/14
Joint claim-construction chart for New Patents	¶ 9	Friday, 9/19/14
Plaintiffs' infringement contentions for New Patents/product described in ANDA No. 205781 per Default ESI Rule 4(c)	FN 3	Friday, 9/12/14
Plaintiffs' opening claim-construction brief for New Patents (12 pages)	¶ 10	Wednesday, 9/24/14
Defendants' invalidity contentions for New Patents per Default ESI Rule 4(d)	FN 3	Wednesday, 10/1/14
Defendants' answering claim-construction brief for New Patents (12 pages)	¶ 10	Wednesday, 10/15/14
Plaintiffs' reply claim-construction brief for New Patents (8 pages)	¶ 10	Wednesday, 10/29/14
Fact discovery deadline (all discovery must be initiated so as to be completed by this date) ¹	¶ 5.b.	Friday, 11/21/14
Defendants' surreply claim-construction brief for New Patents (8 pages)	¶ 10	Wednesday, 11/12/14
Joint claim-construction brief	¶ 10	Tuesday, 11/25/14
Claim-construction hearing	¶ 11	Wed. 12/10/14 9:00AM (Backup Tues. 1/6/15 9:00AM)
Expert opening reports (burden of proof/secondary considerations)	¶ 12.a.	Tuesday, 1/27/15
Expert responsive reports	¶ 12.a.	Friday, 2/27/15
Expert reply reports	¶ 12.a.	Monday, 3/30/15
Expert deposition completion	¶ 12.a.	Thursday, 4/30/15
Objections to expert testimony	¶ 12.b.	Friday, 5/8/15
Joint final pretrial order (including <i>in limine</i> motions)	¶¶ 14-15	Tuesday, 6/9/15

¹ Fact discovery for the patents and products that were in suit on or before June 1, 2014 shall be limited to discovery requests already served. New fact discovery shall be limited to the New Patents/newly accused products.

Event	Location in D.I. 15	Amended Deadline
Final pretrial conference	¶ 14	Friday, 6/12/15 8:30AM
Trial	¶ 16	6/22/15–6/26/15 (5 days)


UNITED STATES DISTRICT JUDGE

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